IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

TUESDAY, THE 18TH DECEMBER 2007 / 27TH AGRAHAYANA 1929

WP(C).No. 26884 of 2006(A)

PETITIONER:

K.S.BABU SALAM,
HEAD SURVEYOR (RETIRED),
OFFICE OF THE SUPERINTENDENT OF RE-SURVEY,
ALUVA, KUNNUMPURATH HOUSE, KOOVALLOOR P.O.,
POTHENICAD.

BY ADV. SMT.I.SHEELA DEVI

RESPONDENTS:
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1. **STATE OF KERALA,**
   REP. BY SECRETARY TO GOVERNMENT,
   DEPARTMENT OF REVENUE AND SURVEY,
   GOVERNMENT SECRETARIAT,
   THIRUVANANTHAPURAM.

2. **ACCOUNTANT GENERAL (A&E),**
   ACCOUNTANT GENERAL'S OFFICE,
   THIRUVANANTHAPURAM.

3. **DIRECTOR OF SURVEY & LAND RECORDS,**
   THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER SRI.NANDAKUMAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 18/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C) NO.26884/2006

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE JUDGMENT DT. 1.12.98 IN OP.1458/90 OF THIS HONOURABLE COURT.

EXT.P2:- COPY OF THE JUDGMENT DT. 9.7.99 IN OP.10447/94 OF THIS HONOURABLE COURT.

EXT.P3:- COPY OF THE G.O.(MS) NO.21/2000/RD DT. 13.1.2000 ISSUED BY THE GOVERNMENT.

EXT.P4:- COPY OF THE JUDGMENT IN W.A. 105/05 AND CONNECTED WRIT APPEALS DT. 26..505.

EXT.P5:- COPY OF THE PROCEEDINGS OF THE SUPERINTENDENT OF SY & LR, ALUVA AS PER B1.492/99 DT. 21.7.05.

EXT.P6:- COPY OF THE COMMUNICATION NO.B1.1260/03 DT. 17.8.05 BY THE SUPERINTENDENT OF SURVEY, ALUVA TO THE 2ND RESPONDENT.

EXT.P7:- COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER TO THE 3RD RESPONDENT DT. 23.11.05.

EXT.P7(a):- COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER BEFORE THE SUPERINTENDENT OF SURVEY, ALUVA DT. 5.12.05.

EXT.P8:- COPY OF THE COMMUNICATION ISSUED BY THE ASSISTANT DIRECTOR OF SURVEY, THRIKKAKKARA, TO THE 3RD RESPONDENT DT. 23.2.06.

EXT.P9:- COPY OF THE COMMUNICATION ISSUED BY THE SUPERINTENDENT OF SURVEY, ALUVA TO THE PETITIONER DT. 14.6.06.

EXT.P11:- COPY OF THE REPRESENTATION DT. 11.5.07 SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT.

EXT.P12:- COPY OF THE ORDER P-04/PEN.. A/633/0T/06-07/1584 DT. 16.4.07.

EXT.P13:- COPY OF THE ORDER DT. P-04/0T/G/51666012/472 DT. 5.7.07.

EXT.P4:- COPY OF THE STATEMENT OF FIXATION BY SUPERINTENDENT.

/TRUE COPY/

P.A. TO JUDGE

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V.GIRI, J.

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W.P.(C)NO.26884 OF 2006

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Dated this the 18th day of December 2007

JUDGMENT

Petitioner retired from service on 31.8.2005. He is aggrieved by the fact that the retirement benefits due to him have not been disbursed to him so far. Insofar as the DCRG is concerned, the same has been sanctioned by the Accountant General by Ext.P13 order dtd.5.7.2007.

2. In the counter affidavit filed by the respondent, it is stated that there is a liability of Rs.13,252/= incurred by the petitioner.

3. There are no disciplinary proceedings or any other proceedings pending against the petitioner.

4. In the result, the writ petition is disposed of directing the third respondent to disburse the petitioner the DCRG sanctioned under Ext.P13 less the amount of Rs.13,252/-, mentioned in paragraph-8 of the counter affidavit, within one month from the date of receipt of a copy of this judgment. petitioner shall also be disbursed pension and commuted value of pension as is due and admissible within the same period.

V.GIRI, JUDGE

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